

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of

Implementation of Sections 309 (j) and 337 of	)	
The Communications Act of 1934 as amended	)	WT Docket No. 99-87
Deadline for Transition to Narrowband Operations	)	
In the 421 – 512 MHz band	)	

**ON BEHALF OF THE CITY OF MESA ARIZONA  
REQUEST OF A TEMPORARY WAIVER  
OF COMMISSION RULES  
REGARDING THE MIGRATION OF PRIVATE LAND MOBILE  
RADIO SERVICES TO 12.5 kHz OR NARROWER  
TECHNOLOGY BY JANUARY 1, 2013**

**WAIVER—EXPEDITED ACTION REQUESTED**

Pursuant to Section 47 C.F.R. § 1.925(b)(3), and the guidelines issued in the Public Notice, DA- 11-1189, the City of Mesa, Arizona respectfully submits this request for a temporary waiver of six months of the January 1, 2013 deadline of transitioning to narrowband operations for 154.3400 MHz frequency licensed on call sign KIU715.

This waiver is necessary due to the vendor's unexpected technical problem regarding an upgrade on our Public Safety dispatch consoles.

### **Background Information**

The current system uses two tone analog signaling to alert our local ambulance providers on a VHF channel. Due to the inherent inability of the pagers wide band receiver to properly decode the lower modulation level of narrowband, a decision had to be made to either replace the existing wideband pagers with narrowband units or find a different method to alert the ambulance crews.

A decision was made late last year to use the digital call alert function on our 800 MHz radio system to alert the ambulance crews on their existing base stations and mobile radios. In conjunction with this change, the City was also planning a hardware upgrade on all of our Public Safety dispatch console positions. The plan was to upgrade to the latest model of console available from our vendor. The upgrade was scheduled to be completed by mid-year 2012 well in advance of the narrowband deadline.

Use of the call alert feature on the new consoles would only require a single step by the dispatcher to alert either a single user or group of users. Use of the call alert feature from the existing consoles would require additional operational steps to be performed by the dispatcher, which would add critical time to alerting notification process to the ambulance crew. The number of steps involved also increased the possibility of miss directed call alerts or other errors.

Technical problems were discovered when several of the new consoles were placed into operation. During periods of heavy radio traffic, the consoles would reboot, making them useless for mission critical operations.

The vendor is working on a solution to the technical problems with the dispatch console upgrade. It is anticipated that these technical problems will be resolved later this

year. Due to the upcoming holidays (Thanksgiving & Christmas) we cannot risk an interruption in dispatch operations trying to perform a dispatch console upgrade during this historical time of heavy call activity. The re-installation of the console upgrade is currently being planned for first quarter 2013 (January-March).

#### **Minimal Impact On Co-Channel And Adjacent Channel Licensees**

The impact on other licensees by a late completion of narrowbanding is extremely minimal. Further, there are no co-channel licensees within forty (40) miles of any of Mesa's sites. The closest adjacent channel user is nearly 30 miles away. Therefore, it is highly unlikely that any co-channel or adjacent channel user will even notice that narrowbanding of the system has not been completed.

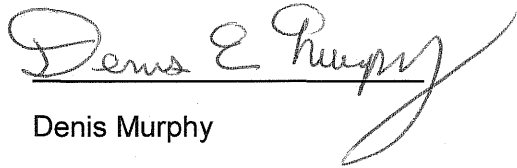
#### **Conclusion**

The City of Mesa believes it has met the necessary requirements to justify a waiver under Part 1.925(b)(3) where the waiver may be granted if it is shown that either: "(i) the underlying purpose of the rule(s) would not be served or would be frustrated by application to the instant case, and that a grant of the requested waiver would be in the public interest;" or "(ii) in view of the unique or unusual factual circumstances of the instant case, application of the rules(s) would be inequitable, unduly burdensome or contrary to the public interest, or the applicant has no reasonable alternative." Requiring the City of Mesa to implement narrowband operation would put the public's safety at significant risk.

The City has shown a good faith effort to comply with the Commission's rules and unanticipated delays caused by the vendor's technical problems with the vendor supplied console equipment.

For the reasons stated and in consideration of the public safety issues involved, the City of Mesa is respectfully requesting an extension of wideband operations on the existing VHF frequency of 154.3400 MHz operating under call sign KIU715 for a period of six months, not to go beyond June 30, 2013.

Respectfully submitted,

A handwritten signature in cursive script, reading "Denis E. Murphy", is written over a horizontal line.

Denis Murphy

Wireless Communications Administrator

City of Mesa